

EXTRA.

EIGHT PAGES.

THE DEFENSE OPENS.

After Another Heavy Blow to the Borden Prosecution.

District-Attorney's Prussic Acid Evidence Rejected To-Day.

One More Hatchet Found Which May Have to Do With the Case.

NEW BEDFORD, June 15.—The tenth day of the Borden murder trial opened hot, with a big crowd in attendance. Miss Borden was overwhelmed with floral offerings this morning, and appeared in excellent spirits, despite the seeming disheartening significance of yesterday's proceedings, when the Justices decided tentatively to admit the Government's testimony concerning the prisoner's attempt to purchase prussic acid.

Preliminary evidence was introduced this morning under objections and exceptions.

Charles H. Lawton, druggist, testified that he knew of no other than medicinal purposes for which prussic acid is used.

Daniel Hathaway, analytical chemist, said it was impossible for cleaning furnaces and very volatile, while Dr. Dolan said that it was very poisonous.

Prussic Acid Evidence Rejected.

After consultation, the Justices, at 10:30, announced that the preliminary evidence had been rejected to-day.

After the introduction of exhibits, at 10:35, the Commonwealth rested its case and a recess for fifteen minutes was taken.

During the recess the prisoner talked earnestly with Mrs. Fessenden, of Boston, the first lady who has spoken to her in the courtroom.

The defense opens.

At 10:30 the jury filed into their places again. Counsel for the defense were all ready to begin the presentation of their side of the case, and Mr. Jennings became their spokesman. He said:

"One of the victims of this murder was a personal friend, and I had known him since a boy, and if I become more affected than would seem natural, it must be ascribed to this feeling. A lawyer does not cease ever to be a man."

"The brutal character of the wounds were only equalled by the time and place of the murders. I don't propose to go into detail about the character of those wounds, but you know what they were. The person who was arrested for doing the deed was the youngest daughter of one of the victims. Up to that time she was of spotless character and reputation, and had moved in and out of that house for twenty-one years, with her mother and father and sister."

"We shall show you that this young woman led a spotless life, was interested in religious and charitable work, and yet, for some reason, the Government seemed to have fastened the crime upon her. There is always an outcry for some one to be punished for such a crime, and we want the guilty punished, not the innocent."

The prisoner sat with her face buried in her handkerchief during her counsel's plea.

After distinguishing circumstances from direct evidence, and illustrating the dangerous character of circumstances, Mr. Jennings said every link in the Government's chain of evidence must be proved beyond a reasonable doubt, including motive, weapon, exclusive opportunity and intent.

The defense would show relations between the father and daughter which excluded a motive for her killing him, and the motive to kill the mother alone would not be enough, for the Government claimed that the same person killed both.

Mr. Jennings claimed that the weapon had been connected with the defendant. Evidence of exclusive opportunity would be negated by showing that other people were around at the time of the murder; that others entered the barn before the officer who testified that its floor was covered with dust, and that the burned door was covered with paint and was not worn on the day of the murder.

Mr. Jennings said: "The attempt has been made to surround this house; to completely shut it in; but you have seen it and have heard the evidence on that matter, and there has not been a living soul in all these witnesses to testify that he saw Andrew J. Borden go down to the barn from this house; he was actually invisible."

"We shall show you there were others about that house; we shall show you that Mr. Borden's cake-walk in the barn excluded in his own imagination and that people were in that barn and all over it before he went there; we shall show you that there was a man in the barn just as he said he was."

Mr. Jennings closed his address at 11:27.

and Mary A. Durfee was called. Mr. Jennings conducted the direct examination.

Noise at the Borden Fence.

Witness Durfee not being ready when called, Martha Chagnon was put on the stand. She testified that at 11 o'clock on the night before the murder she heard a noise like the pounding on wood in the direction of the Borden fence. It continued for five minutes. She made no investigation.

Mrs. Chagnon confirmed her step-daughter's testimony about the noise. Cross-examined, first thought it sounded like a dog.

John W. Grouard testified that he painted the Borden house in May, 1902, and he thought that the prisoner was in the vicinity of the paint tubs.

The Court excluded the evidence that the Fall before the murder Mrs. Durfee saw an angry discussion between Mr. Borden and a stranger.

Charles N. Gifford and Uriah Kirby said that they saw a man on the street steps near the Chagnon house at 11 o'clock on the night before the murder.

Mr. Gifford is a clothing store clerk and lives next to the house of Dr. Chagnon. He said the man's hat was over his face. Witness shook the fellow and his hat fell on the walk. Lit a match and found he didn't know who the man was. Left him and went into the house. There was no smell of liquor about the man. Witness had never seen the man since.

Mr. Kirby spoke to the man but got no reply. His hat was pulled down over his eyes, and witness put his hand on top of the hat. Detected no signs of liquor about the man.

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After the recess Dr. Benjamin J. Handy testified that he passed the Borden house between 10:20 and 10:40 on the morning of the murder, and saw a medium-sized young man of pale complexion, with eyes fixed on the sidewalk.

He was in the street between the Borden and Kelly house, and attracted witness's attention by his strange actions.

On cross-examination the doctor said the man was walking slowly away from the Borden house, and seemed mentally agitated.

Jerome V. Borden testified that he entered the Borden front door without difficulty the day after the murder.

PEOPLE IN THE BARN.

Walker P. Stevens, reporter of the Fall River News, testified that he went into the Borden barn immediately after the murder and heard three people walking in the loft.

Cross-examined: Made a search of the yard, with no result. Tried the cellar door and found it fastened before he went to the barn.

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Mr. Potter this morning reported his find to the police, and also sought an interview with the counsel for defense, who was unable to find Mr. Jennings. He still has the hatchet in his possession, and describes it as an ordinary implement with hammer-head.

The handle was weather-beaten and the blade covered with rust. Some of the particles of rust being removed, a slight coloring of gilt was disclosed, which would indicate that the hatchet was at one time used as an ornament of a quite new when lost or discarded.

CHUDOV MONKS ARRESTED.

Valuable Stolen from the Monastery Church Found in Their Cells.

ST. PETERSBURG, June 15.—The Church of the Chudov Monks, which is within the walls of the Kremlin, was recently robbed of a vast amount of plate, money and gems. The plate had just been used in the ceremonies attending upon the reception of the Czar and had not yet been returned to the vaults where it was usually kept.

The property and money taken amounted in value to between 2,500,000 and 3,000,000 rubles.

The police investigated, and to-day all the monks belonging to the monastery were arrested.

Secreted in their cells were found diamonds and other gems, which had been taken from their settings; holy robes, and the missing holy vessels made of precious metals.

A charge of sacrilege has been made against the monks. This is a crime that is punishable in Russia with the most severe penalties.

SCRAPING THE VIKING SHIP.

She Is High and Dry on the Torpedo Station at Newport.

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It is not expected that she will come off before morning, and will then start with all delay as possible in tow for New York.

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